

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2
3 In the Matter of

4 **Matthew Sampson, M.D.**

5 Holder of License No. 41760
6 For the Practice of Allopathic Medicine
7 In the State of Arizona

Case No. MD-13-0789A

**ORDER FOR LETTER OF REPRIMAND
AND CONSENT TO SAME**

8 Matthew Sampson, M.D. ("Respondent") elects to permanently waive any right to a
9 hearing and appeal with respect to this Order for Letter of Reprimand; admits the
10 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order
11 by the Board.

12 **FINDINGS OF FACT**

13 1. The Board is the duly constituted authority for the regulation and control of
14 the practice of allopathic medicine in the State of Arizona.

15 2. Respondent is the holder of license number 41760 for the practice of
16 allopathic medicine in the State of Arizona.

17 3. The Board initiated case number MD-13-0789A after receiving notification of
18 a malpractice settlement regarding Respondent's care and treatment of a 72 year-old
19 patient ("NB"). The malpractice settlement involved issues related to Respondent's failure
20 to timely perform routine lab work and improper dosage of warfarin.

21 4. On September 16, 2011, NB was seen with an INR of 1.4 while taking
22 warfarin 2.5mg daily. NB was instructed to increase the warfarin dose to 5mg daily and to
23 follow-up with the Respondent in three weeks. NB was also started on fluconazole 400mg
24 daily at that time.
25

5. On September 30, 2011, NB called Respondent's office complaining of nose bleeds. As part of her follow-up, NB had a PT/INR drawn and sent to a lab. (Respondent's INR machine could not give an INR reading.)

6. On October 5, 2011, Respondent reviewed the lab results and on October 6th Respondent saw NB and noted that she had an altered level of consciousness which, NB stated, had started a couple of days prior. NB was sent to the emergency room and upon presentation she was noted to have an INR of 11.11. A head CT scan showed a subdural and a subarachnoid hemorrhage. NB was then transferred to the hospital.

7. The Medical Consultant ("MC") observed that Respondent failed to adequately monitor NB's INR after the warfarin dose was adjusted. This monitoring failure resulted in an intracranial bleed that occurred in the setting of an abnormally elevated INR at 11.11.

8. The MC further observed that the standard of care requires a physician to perform a repeat PT/INR four to eight days after a warfarin dose adjustment. The MC found that Respondent deviated from the standard of care by advising NB to follow up in three weeks after the warfarin dose was increased.

CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Respondent.

2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(q) ("[a]ny conduct or practice that is or might be harmful or dangerous to the health of the patient or the public").

1
2 **ORDER**

3 IT IS HEREBY ORDERED THAT Respondent is issued a Letter of Reprimand.

4 DATED AND EFFECTIVE this 21st day of April, 2014.
5

6 ARIZONA MEDICAL BOARD
7

8 By C Lloyd Vest, II
9 C. Lloyd Vest, II
Executive Director

10 **CONSENT TO ENTRY OF ORDER**

11 1. Respondent has read and understands this Consent Agreement and the
12 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
13 acknowledges he has the right to consult with legal counsel regarding this matter.

14 2. Respondent acknowledges and agrees that this Order is entered into freely
15 and voluntarily and that no promise was made or coercion used to induce such entry.

16 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
17 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
18 this Order in its entirety as issued by the Board, and waives any other cause of action
19 related thereto or arising from said Order.

20 4. The Order is not effective until approved by the Board and signed by its
21 Executive Director.

22 5. All admissions made by Respondent are solely for final disposition of this
23 matter and any subsequent related administrative proceedings or civil litigation involving
24 the Board and Respondent. Therefore, said admissions by Respondent are not intended
25 or made for any other use, such as in the context of another state or federal government

1 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
2 any other state or federal court.

3 6. Upon signing this agreement, and returning this document (or a copy thereof)
4 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
5 the Order. Respondent may not make any modifications to the document. Any
6 modifications to this original document are ineffective and void unless mutually approved
7 by the parties.

8 7. This Order is a public record that will be publicly disseminated as a formal
9 disciplinary action of the Board and will be reported to the National Practitioner's Data
10 Bank and on the Board's web site as a disciplinary action.

11 8. If any part of the Order is later declared void or otherwise unenforceable, the
12 remainder of the Order in its entirety shall remain in force and effect.

13 9. If the Board does not adopt this Order, Respondent will not assert as a
14 defense that the Board's consideration of the Order constitutes bias, prejudice,
15 prejudgment or other similar defense.

16 10. Any violation of this Order constitutes unprofessional conduct and may result
17 in disciplinary action. A.R.S. §§ 32-1401(27)(r) ("[v]iolating a formal order, probation,
18 consent agreement or stipulation issued or entered into by the board or its executive
19 director under this chapter") and 32-1451.

20
21 
22 Matthew Sampson, M.D.

DATED: 3/11/14

23 EXECUTED COPY of the foregoing mailed
24 this 21st day of April, 2014 to:

25 Matthew Sampson, M.D.
Address of Record

1 ORIGINAL of the foregoing filed
2 this 21st day of April, 2014 with:

3 Arizona Medical Board
4 9545 E. Doubletree Ranch Road
5 Scottsdale, AZ 85258

6 Mary Baker
Arizona Medical Board Staff